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Attorneys for Defendant,
COSTCO WHOLESALE CORPORATION

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION

TERESA ALVARADO CURIEL, an
individual,

CASE NO. 2:22-CV-02224-DAD-DMC

Plaintiff,

**STIPULATED REQUEST TO MODIFY
SCHEDULING ORDER AND ORDER
THEREON**

vs.

COSTCO WHOLESALE MEMBERSHIP,
INC., a California Corporation; COSTCO
WHOLESALE CORPORATION a Washington
Corporation; CLIMATE PROS, LLC, a
Delaware Limited Liability Company; and
DOES 1 to 50, inclusive,

Defendants.

AND RELATED CROSS ACTION /

IT IS HEREBY STIPULATED by and between the parties to this action, through their
respective counsel, as follows:

1. The parties previously agreed to engage in private mediation of this matter. On a
prior stipulated request of the parties, the Court modified the scheduling order in this matter to

1 extend the date for the parties to complete private mediation to February 16, 2024, and re-set the
2 settlement conference to March 27, 2024, to allow time to coordinate the mediation.

3 2. The parties reached out to mediator Hon. Thierry Patrick Colaw to conduct the
4 mediation. However, the nearest mutually agreeable dates for mediation with Judge Colaw are in
5 June, past the date set for the parties to complete mediation.
6

7 3. Based on the foregoing, the parties respectfully request the Court modify the date
8 set forth in the scheduling order for competing private mediation from February 16, 2024 to **July**
9 **26, 2024**. It is further requested that the court-supervised settlement conference be reset to
10 **September 18, 2024**, or as soon thereafter as the Court deems appropriate.
11

12 4. It is further requested that the discovery and motion deadlines in this matter be
13 continued ninety (90) days so that the parties may continue to prepare to engage in a productive
14 mediation, and, in the event the matter is not resolved at mediation, so that the parties may continue
15 to make necessary preparations for trial.
16

17 5. The parties stipulate and agree that the requested modification of the scheduling
18 order will not result in prejudice to any party because it will not require a continuance of the jury
19 trial date set for January 27, 2025.

20 Dated: February 14, 2024

MAIRE & DEEDON

21 /s/

22 PATRICK L. DEEDON

23 JOHN R. POWELL

Attorneys for Defendant,

24 COSTCO WHOLESALE CORPORATION

25 Dated: 2/9/24

RAFII & ASSOCIATES, P.C.

26 /s/

27 PETER WILLIAMSON

Attorneys for Plaintiff,

28 TERESA ALVARADO CURIEL

1 Dated: 2/7/24

MACDONALD & CODY, LLP

3 /s/
4 DEBRA BRAASCH
5 Attorneys for Defendant
6 CLIMATE PROS, LLC

7
8 **ORDER**

9 **IT IS SO ORDERED** and the pretrial scheduling order is modified as follows:

10 1. Any private mediation of this matter shall be completed on or before **July 26, 2024**.

11 2. Discovery and motion deadlines are continued 90 days as set forth below:

12 a. Fact Discovery shall be completed no later than **May 2, 2024**;

13 b. The parties shall disclose initial experts and produce reports in
14 accordance with Federal Rule of Civil Procedure 26(a)(2) by no later
15 than **May 23, 2024**, with rebuttal reports produced on or before **June**
16 **6, 2024**;

17 c. Expert Discovery shall be completed no later than **July 12, 2024**;

18 d. All motions, except motions for continuances, temporary restraining
19 orders, or other emergency applications, shall be noticed to be heard on
20 or before **August 22, 2024**

21 3. The settlement conference set for March 27, 2024, is vacated. A new settlement
22 conference may be set upon joint request of the parties.

23 Dated: February 14, 2024

24 
25
26 DENNIS M. COTA
27 UNITED STATES MAGISTRATE JUDGE
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